

Remarks

This Amendment is in response to the Office Action dated **September 28, 2007**.

Claims 1-26 are pending in this application. The Office Action rejected claims 1, 5, 6, 12-14 and 17 under 35 USC § 102 over Samson (US 4597755); rejected claims 2-4 under 35 USC § 103 over Samson in view of Millar (US 4665925); rejected claims 7-9 under 35 USC § 103 over Samson in view of Ellis (US 6395008); rejected claims 10 and 11 under 35 USC § 103 over Samson in view of Ellis and further in view of Follmer (US 5728065); rejected claim 15 under 35 USC § 103 over Samson in view of Follmer; rejected claim 16 under 35 USC § 103 over Samson in view of Follmer and further in view of Chee (US 5906606); rejected claim 18 under 35 USC § 103 over Samson in view of Gambale (US 6447522); rejected claims 19 and 20 under 35 USC § 103 over Samson in view of Cathcart (US 5951585); rejected claims 21-24 under 35 USC § 103 over Samson in view of Imran (US 5766203); and rejected claims 25 and 26 under 35 USC § 103 over Samson in view of Hamilton (US 6514228).

By this Amendment, claims 1 and 16 are amended and claim 58 is added.

Applicants reserve the right to prosecute all cancelled subject matter in a subsequent patent application claiming priority to the immediate application. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claim Rejections - 35 USC § 112

The Office Action rejects claim 16 under 35 USC § 112, second paragraph, asserting that certain limitations do not have an antecedent.

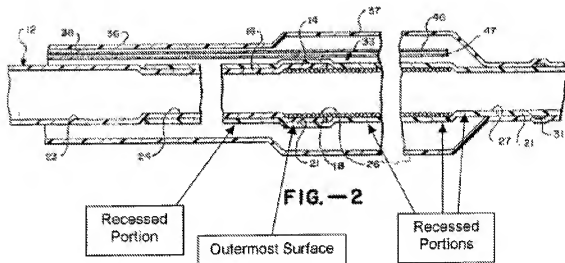
Claim 16 is amended for clarification purposes and provides antecedent basis for the limitations mentioned in the rejection. Accordingly, Applicants request withdrawal of the rejections under 35 USC § 112.

Claim Rejections – 35 USC § 102

The Office Action rejected claims 1, 5, 6, 12-14 and 17 under 35 USC § 102 over Samson.

Claim 1 previously recited a “recessed portion” of the catheter tip. The rejection asserts that Samson teaches the claimed recessed portion by characterizing any part of the Samson

catheter that is not the outermost surface as a recessed portion. See Office Action at page 3 and marked Figure 2 from the Office Action, provided below.



Independent claim 1 has been amended and recites, “a cross-sectional area of the first recessed portion being less than a cross-sectional area of the catheter tip at a location proximal to the first recessed portion and at a location distal to the first recessed portion.”

The amendment precludes the Examiner’s characterization of Samson, as claim 1 explicitly requires the “catheter tip” to have a greater cross-sectional area on either side of the “recessed portion.”

Claim 1 further recites “a second recessed portion, a cross-sectional area of the second recessed portion being less than a cross-sectional area of the catheter tip at a location proximal to the second recessed portion and at a location distal to the second recessed portion.”

Samson does not disclose or suggest a catheter tip having a “first recessed portion” and a “second recessed portion” that meet the cross-sectional area limitations recited in claim 1. Therefore, Samson does not disclose or suggest each limitation of claim 1, and claim 1 is patentable over Samson under 35 USC § 102. Claims 5, 6, 12-14 and 17 depend from claim 1 and are patentable over Samson for at least the reasons discussed with respect to claim 1. Accordingly, Applicants request withdrawal of the rejections under 35 USC § 102.

Claim Rejections – 35 USC § 103

The Office Action rejected, under 35 USC § 103, claims 2-4 over Samson in view

of Millar; claims 7-9 over Samson in view of Ellis; claims 10 and 11 over Samson in view of Ellis and further in view of Follmer; claim 15 over Samson in view of Follmer; claim 16 over Samson in view of Follmer and further in view of Chee; claim 18 over Samson in view of Gambale; claims 19 and 20 over Samson in view of Cathcart; claims 21-24 over Samson in view of Imran; and claims 25 and 26 over Samson in view of Hamilton.

Amendments to independent claims 1 and 16 are believed to render the rejections under 35 USC § 103 moot. Accordingly, Applicants request the withdrawal of the rejections under 35 USC § 103.

Conclusion

Based on at least the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-26 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

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